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December 14, 2023

Via ECF

The Honorable Mia Roberts Perez
United States District Court for the
Eastern District of Pennsylvania
United States Courthouse, Room 6614
601 Market Street
Philadelphia, PA 19106

Re: *Encore Series, Inc d/b/a Philly POPS v. Philadelphia Orchestra, et al.*
Civil Action 2:23-cv-01421

Dear Judge Perez:

Pursuant to this Court's prior Orders in the above-referenced matter, we are informed that Plaintiff has engaged substitute counsel who has not yet entered its appearance because it is working out a possible and/or waivable conflict of interest arising out of the firm's prior representation of the Philadelphia Orchestra. Secondly, Plaintiff has submitted a claim to an insurance carrier to tender a defense to POKC's defamation counterclaim. However, Plaintiff is still awaiting the insurer carrier's official response to its claim. Thus, Plaintiff respectfully requests an additional 40 days until January 31, 2024 in which to submit another status report in this matter.

Respectfully,

/s/ William A. DeStefano

WILLIAM A. DeSTEFANO

Senior Counsel

/WAD

cc: All counsel of record (via ECF)